

Remarks & Arguments

In the Office Action, the Examiner noted that Claims 1-30 are pending in the application, and that Claims 1-30 are rejected. By this amendment, Claims 1, 11 and 21 have been amended and Claims 2-4, 12-14 and 22-24 have been canceled. Thus, Claims 1, 5-11, 15-21 and 25-30 are pending in the application. The amendments herein do not add new matter to the application. The Examiner's rejections are traversed below.

Rejections Under 35 USC 103

Claims 1-3, 11-13 and 21-23 stand rejected under 35 USC 103(a) as being obvious in view of the combination of Boothby I (US Patent No. 6, 044,381) and Scott et al. (US Patent No. 5,649,195). In addition, Claims 4, 14 and 24 stand rejected under 35 USC 103(a) as being obvious in view of the combination of Boothby I (US Patent No. 6, 044,381) and Boothby II (US Patent No. 6,532,480). Applicant has amended Claims 1, 11 and 21 to include the limitations of Claims 2-4, 12-14 and 22-24 respectively. Accordingly, Applicant respectfully asserts that independent Claims 1, 11 and 21 as amended are patentable over the combination of Boothby I and Scott, and also the combination of Boothby I and Boothby II. Applicant also asserts that the teachings of Boothby I, Scott and Boothby II cannot be combined. The disclosure of Scott explicitly states that the method of synchronization is for a receive-only network (Title; Abstract; Col 2, Lines 20-36; Col. 5, Lines 37-42; See also Figures 1, 2B, 4 and 6A). Furthermore,

Appl. No. 09/710,605
Amdt. Dated September 14, 2004
Reply to Office Action of June 18, 2004

Applicant asserts that the next-broadcast-number, next-sequence-number, last-broadcast-number received and last-sequence-number-receive are not equivalent to the modification flag and modification count and will not permit the direction of synchronization to be reversed. Thus, independent Claims 1, 11 and 21 are patentable over the prior art. Claims 5-10, 15-20 and 25-30 are dependent upon Claims 1, 11 and 21 respectively and include all the limitations therein. Accordingly, Claims 5-10, 15-20 and 25-30 are patentable for the same reasons advanced in support of Claims 1, 11 and 21. Withdrawal of the rejection is therefore respectfully requested.

Conclusion

For all the reasons advanced above, Applicant respectfully submits that the present application is in condition for allowance and that action is earnestly solicited. The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

The Commissioner is hereby authorized to charge any additional fees, which may be required for this amendment, or credit any overpayment, to Deposit Account 23-0085. In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to

Appl. No. 09/710,605
Amdt. Dated September 14, 2004
Reply to Office Action of June 18, 2004

charge any fee for such an extension of time or credit any overpayment for an extension of time
to Deposit Account 23-0085.

Respectfully submitted,
WAGNER, MURABITO & HAO, LLP

Dated: September 14, 2004

A handwritten signature in black ink, appearing to read "Eric J. Gash", is written over a horizontal line.

Eric J. Gash
Registration No. 46,274
Tel.: (408) 938-9060

Two North Market Street
Third Floor
San Jose, CA 95113
(408) 938-9060